

SUBCHAPTER A—HAZARDOUS MATERIALS AND OIL TRANSPORTATION

PART 106—RULEMAKING PROCEDURES

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AUTHORITY: 49 U.S.C. 5101-5127; 49 CFR 1.53.

SOURCE: 40 FR 31768, July 29, 1975, unless otherwise noted. Redesignated by Amdt. 102-1, and Amdt. 106-1, 43 FR 43306, Sept. 25, 1978.

Subpart A—General

§ 106.1 Scope.

This part prescribes general rulemaking procedures for the issue, amendment, and repeal of Hazardous Material Safety Program regulations of the Research and Special Programs Administration of the Department of Transportation.

[40 FR 31768, July 29, 1975. Redesignated by Amdt. 102-1, and Amdt. 106-1, 43 FR 43306, Sept. 25, 1978, as amended by Amdt. 106-13, 61 FR 51336, Oct. 1, 1996]

§ 106.3 Delegations.

For the purposes of this part, "Administrator" means the Administrator,

Research and Special Programs Administration, or his or her delegate.

[Amdt. 106-13, 61 FR 51336, Oct. 1, 1996]

§ 106.5 Regulatory dockets.

(a) Information and data considered relevant by the Administrator relating to rulemaking actions, including notices of proposed rulemaking; comments received in response to notices; petitions for rulemaking and reconsideration; denials of petitions for rulemaking and reconsideration; records of additional rulemaking proceedings under § 106.25; and final regulations are maintained by the Research and Special Programs Administration at 400 7th Street, SW., Washington, DC 20590-0001.

(b) Any person may examine any docketed material at the offices of the Research and Special Programs Administration at any time during regular business hours after the docket is established, except material which the Administrator determines should be withheld from public disclosure under applicable provisions of any statute administered by the Administrator and Section 552(b) of title 5, United States Code, and may obtain a copy of it upon payment of a fee.

[40 FR 31768, July 29, 1975. Redesignated by Amdts. 102-1 and 106-1, 43 FR 43306, Sept. 25, 1978, and amended by Amdt. 106-3, 45 FR 81571, Dec. 11, 1980; Amdt. 106-7, 55 FR 39978, Oct. 1, 1990]

§ 106.7 Records.

Records of the Research and Special Programs Administration relating to rulemaking proceedings are available for inspection as provided in section 552(b) of title 5, United States Code, and part 7 of the Regulations of the Office of the Secretary of Transportation (part 7 of this title).

§ 106.9 Where to file petitions.

Petitions for extension of time to comment submitted under § 106.19, petitions for hearings submitted under § 106.27, petitions for rulemaking submitted under § 106.31, and petitions for